

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MAHFOOZ AHMAD

MEMORANDUM ENDORSED

(List the full name(s) of the plaintiff(s)/petitioner(s).)

-against-

COLIN DAY, COURTNEY DUTTER, iCIMS INC,
BEACON HILL STAFFING GROUP, NAVI HEALTH INC, VISTA EQUITY
PARTNERS, CLAY RICHARDS, SUSQUEHANNA GROWTH EQUITY,
COMCAST CORPORATION.

(List the full name(s) of the defendant(s)/respondent(s).)

1:20 CV 04507 (JMF)(GWG)

**MOTION FOR EXTENSION
OF TIME TO FILE NOTICE
OF APPEAL**

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: Jan 10 2023

I move under Rule 4(a)(5) of the Federal Rules of Appellate Procedure for an extension of time to file a notice of appeal in this action. I would like to appeal the judgment

entered in this action on 12/28/2022 but did file a notice of appeal within the required
date
time period because:

The under sign recently became a first time father and is currently needing more time to file a notice of appeal for the Court Order Number 187 of Honorable Magistrate Judge Gabriel W. Gorenstein. The undersign is timely filing this MOTION FOR EXTENSION OF TIME TO FILE NOTICE OF APPEAL. Pro Se Plaintiff requests that this Court grants 90 days extension until April 10th, 2023.

UPDATED submission with correct extension date!

01-10-23

/s/ Mahfooz Ahmad

Dated:

Signature

AHMAD, MAHFOOZ

Name (Last, First, MI)

| | | | |
|--------------------------------------|-----------------|---|----------|
| 224 PORTERS HILL RD, Address | MONROE, City | CT 06468 State | Zip Code |
| (718) 536 - 1972 Telephone Number | | mahfoozahmad2092@gmail.com E-mail Address (if available) | |

The request for an extension is denied since Federal Rule of Appellate Procedure 4(a)(5)(C) permits an extension at most only to a date within 30 days after the “prescribed time” for the filing of a notice of appeal. Here, there is no “prescribed time” for the filing of a notice of appeal since 28 U.S.C. § 1291 (the only potentially relevant statute) permits appeals only from final decision of district courts and the referenced order is not a final decision in the case. Rather, a final decision will come only after a final judgment is entered under Fed. R. Civ. P. 54. In any event, given the minimal requirements for a notice of appeal, there is no reason plaintiff could not file a notice of appeal (even if it is improper) within 30 days of the December 28, 2022, order at issue.

So Ordered.



GABRIEL W. GORENSTEIN
United States Magistrate Judge

January 11, 2023